

Sportsmen's Act: Senate began consideration of the motion to proceed to consideration of S. 3525, to protect and enhance opportunities for recreational hunting, fishing, and shooting. **Pages S6502–20**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of H.J. Res. 117, making continuing appropriations for fiscal year 2013. **Page S6502**

Appointment:

Public Safety Officer Medal of Valor Review Board: The Chair, on behalf of the Majority Leader, pursuant to Public Law 107–12, reappointed the following individual as a member of the Public Safety Officer Medal of Valor Review Board: Trevor Whipple of Vermont. **Page S6558**

Kelly Nomination Joint Referral—Agreement: A unanimous-consent agreement was reached providing that, as if in Executive Session, the nomination of Keith Kelly, of Montana, to be Assistant Secretary of Labor for Veterans' Employment and Training, sent to the Senate by the President, be referred jointly to the Committee on Health, Education, Labor, and Pensions, and the Committee on Veterans' Affairs. **Page S6510**

Nominations Received: Senate received the following nominations:

Ketanji Brown Jackson, of Maryland, to be United States District Judge for the District of Columbia.

Nelson Stephen Roman, of New York, to be United States District Judge for the Southern District of New York.

Robert D. Okun, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years. **Page S6558**

Messages from the House: **Pages S6541–42**

Measures Referred: **Page S6542**

Measures Placed on the Calendar: **Pages S6476, S6542**

Measures Read the First Time: **Pages S6542, S6558**

Executive Communications: **Pages S6542–45**

Executive Reports of Committees: **Page S6545**

Additional Cosponsors: **Pages S6546–48**

Statements on Introduced Bills/Resolutions: **Pages S6548–57**

Additional Statements: **Pages S6535–41**

Amendments Submitted: **Page S6557**

Authorities for Committees to Meet:

Pages S6557–58

Record Votes: One record vote was taken today. (Total—195) **Pages S6500–01**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:21 p.m., until 12 p.m. on Friday, September 21, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6558.)

Committee Meetings

(Committees not listed did not meet)

COMPUTERIZED TRADING

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, Insurance and Investment concluded a hearing to examine computerized trading, after receiving testimony from David Lauer, Better Markets, Inc., Colingswood, New Jersey; Andrew M. Brooks, T. Rowe Price Associates, Inc., Baltimore, Maryland; Chris Concannon, Virtu Financial, LLC, Garden City, New Jersey; and Larry Tabb, TABB Group, Westborough, Massachusetts.

HOUSEHOLD GOODS MOVING INDUSTRY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine business practices in the household goods moving industry, after receiving testimony from Anne S. Ferro, Administrator, Federal Motor Carrier Safety Administration, and Timothy M. Barry, Principal Assistant Inspector General for Investigations, both of the Department of Transportation; Linda Bauer Darr, American Moving and Storage Association, Alexandria, Virginia; Jason M. Romrell, Budget Van Lines Inc., Los Angeles, California; and Reana Kovalcik, New York, New York.

WATER RESOURCES DEVELOPMENT ACT

Committee on Environment and Public Works: Committee concluded a hearing to examine the "Water Resources Development Act", focusing on growing the economy and protecting public safety, after receiving testimony from Andrew Herrmann, American Society of Civil Engineers, Richard R. Calhoun, Cargill, Incorporated, Jeffrey Soth, International Union of Operating Engineers, and Janet F. Kavinoky, U.S. Chamber of Commerce, all of Washington, D.C.; and Jerry A. Bridges, Virginia Port Authority, Norfolk, on behalf of the American Association of Port Authorities.

TAX REFORM AND THE TAX TREATMENT OF CAPITAL GAINS

Committee on Finance: Committee concluded a joint hearing with the House Committee on Ways and Means to examine tax reform and the tax treatment of capital gains, after receiving testimony from David H. Brockway, Bingham McCutchen LLP, Washington, D.C.; Lawrence B. Lindsey, The Lindsey Group, Fairfax, Virginia; Leonard E. Burman, Syracuse University Maxwell School, Syracuse, New York; David Verrill, Angel Capital Association, Cambridge, Massachusetts; and William D. Stanfill, Montegra Capital Income Fund, Denver, Colorado.

MARITIME TERRITORIAL DISPUTES AND SOVEREIGNTY ISSUES

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine maritime territorial disputes and sovereignty issues in Asia, after receiving testimony from Kurt Campbell, Assistant Secretary of State for East Asian and Pacific Affairs.

U.S. TAX CODE

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine offshore profit shifting and the U.S. tax code, after receiving testimony from William J. Wilkins, Chief Counsel, and Michael Danilack, Deputy Commissioner (International) of the Large Business and International Division, both of the Internal Revenue Service, Department of the Treasury; Stephen E. Shay, Harvard Law School, Cambridge, Massachusetts; Reuven S. Avi-Yonah, University of Michigan Law School International Tax Master of Law Program, Ann Arbor; Jack T. Ciesielski, R.G. Associates, Inc., Baltimore, Maryland; William J. Sample, Microsoft Corporation, Redmond, Washington; Beth Carr, Ernst and Young LLP, New York, New York; Lester D. Ezrati, and John N. McMullen, both of the Hewlett-Packard Company, Palo Alto, California; and Susan M. Cospers, Financial Accounting Standards Board, Norwalk, Connecticut.

PENSION MODERNIZATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine pension modernization for a 21st century workforce, after receiving testimony from Jim Davis, Iowa Title and Realty, Charles City; Aliya Wong, U.S. Chamber of Commerce, Richard Hudson, Cheiron, Karen Friedman, Retirement USA, Andrew G. Biggs, American Enterprise Institute for Public Policy Research, and David Madland, Center for American Progress Action Fund, all of Washington, D.C.; Susan L. Breen-Held, Principal Financial, Des Moines, Iowa; and

John Adler, Service Employees International Union, New York, New York.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 65, to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians;

S. 2024, to make technical amendment to the T'uf Shur Bien Preservation Trust Area Act, with an amendment;

S. 3546, to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages;

S. 3548, to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994;

H.R. 2467, to take certain Federal lands in Mono County, California, into trust for the benefit of the Bridgeport Indian Colony; and

The nomination of Kevin K. Washburn, of New Mexico, to be an Assistant Secretary of the Interior.

FEDERAL-TRIBAL RELATIONSHIP

Committee on Indian Affairs: Committee concluded an oversight hearing to examine advancing the Federal-tribal relationship through self-governance and self-determination, after receiving testimony from Lawrence Roberts, Deputy Assistant Secretary of the Interior for Indian Affairs; Ian Erlich, Maniilaq Association, Kotzebue, Alaska; Charles Head, Cherokee Nation, Tahlequah, Oklahoma; and D. Noelani Kalipi, TiLeaf Group, Hilo, Hawaii.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 3486, to implement the provisions of the Hague Agreement and the Patent Law Treaty, with an amendment in the nature of a substitute;

S. 1894, to deter terrorism, provide justice for victims, with an amendment in the nature of a substitute;

S. 3250, to amend the DNA Analysis Backlog Elimination Act of 2000 to provide for Debbie Smith grants for auditing sexual assault evidence backlogs and to establish a Sexual Assault Forensic Evidence Registry;

S. 3523, Innovative Design Protection Act; and

The nomination of William Joseph Baer, of Maryland, to be an Assistant Attorney General, Department of Justice.

INTELLIGENCE

Committee recessed subject to the call.

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 35 public bills, H.R. 6444–6478; and 10 resolutions, H. Con. Res. 138; and H.Res. 793–801 were introduced. **Pages H6230–32**

Additional Cosponsors: **Pages H6233–34**

Reports Filed: Reports were filed today as follows:

H.R. 4965, to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes, with an amendment (H. Rept. 112–681);

H.R. 5961, to provide reasonable limits, control, and oversight over the Environmental Protection Agency's use of aerial surveillance of America's farmers, with an amendment (H. Rept. 112–682);

H.R. 4278, to amend the Federal Water Pollution Control Act with respect to permit requirements for dredged or fill material (H. Rept. 112–683);

H.R. 2541, to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements, with an amendment (H. Rept. 112–684); and

H.R. 3563, to amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to modernize and implement the national integrated public alert and warning system to disseminate homeland security information and other information, and for other purposes, with an amendment (H. Rept. 112–685, Pt. 1). **Page H6230**

Speaker: Read a letter from the Speaker wherein he appointed Representative Flake to act as Speaker pro tempore for today. **Page H6153**

Recess: The House recessed at 11:08 a.m. and reconvened at 12 noon. **Page H6161**

Chaplain: The prayer was offered by the guest chaplain, Rabbi Steven Weil, Orthodox Union, New York, New York. **Page H6161**

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and

Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program: The House passed H.J. Res. 118, to provide for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program, by a yeas-and-nays vote of 250 yeas to 164 nays, Roll No. 589. **Pages H6165–85, H6194–95**

H. Res. 788, the rule providing for consideration of the joint resolution (H.J. Res. 118) and the bill (H.R. 3409) was agreed to by a yeas-and-nays vote of 233 yeas to 182 nays, Roll No. 588, after the previous question was ordered by a yeas-and-nays vote of 238 yeas to 179 nays, Roll No. 587. **Pages H6173–74**

A point of order was raised against the consideration of H. Res. 788 and it was agreed to proceed with consideration of the resolution by voice vote.

Pages H6165–67

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure:

STEM Jobs Act of 2012: H.R. 6429, to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, to eliminate the diversity immigrant program, by a 2/3 yeas-and-nays vote of 257 yeas to 158 nays, Roll No. 590. **Pages H6185–94, H6195**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure which was debated yesterday, September 19th:

Manhattan Project National Historical Park Act: H.R. 5987, amended, to establish the Manhattan Project National Historical Park in Oak Ridge, Tennessee, Los Alamos, New Mexico, and Hanford, Washington, by a 2/3 yeas-and-nays vote of 237 yeas to 180 nays, Roll No. 591. **Pages H6195–96**